

REMARKS – General

By the above amendments, Applicant has amended his claims to define the invention more particularly and distinctly so as to overcome the rejections.

Replacement Drawing Sheets – Explanation of Changes

The Office Action objected to Applicant's originally submitted drawings as they were not properly labeled. Applicant cancels his original drawings Figure 1 to Figure 16 and submits replacement sheets Figure 1 to Figure 22 that illustrates the features in compliance of the Office Action.

Cancelled Figure 1 is replaced by replacement drawings sheets Figure 1 to Figure 4. All inappropriate text and labels have been removed.

Replacement Figure 1 represents the figure in cancelled Figure 1 previously labeled as "TOP VIEW".

Replacement Figure 2 represents the figure in cancelled Figure 1 previously labeled as "SIDE VIEW".

Replacement Figure 3 represents the figure in cancelled Figure 1 previously labeled as "ISOMETRIC VIEW"

Replacement Figure 4 represents the figure in cancelled Figure 1 previously labeled as "FRONT VIEW".

Cancelled Figure 2 is replaced by replacement drawings sheets Figure 5 to Figure 8. All inappropriate text and labels have been removed.

Replacement Figure 5 represents the figure in cancelled Figure 2 previously labeled as "SIDE VIEW".

Replacement Figure 6 represents the figure in cancelled Figure 2 previously labeled as "TOP VIEW".

Replacement Figure 7 represents the figure in cancelled Figure 2 previously labeled as “FRONT VIEW”.

Replacement Figure 8 represents the figure in cancelled Figure 2 previously labeled as “ISOMETRIC VIEW”.

Cancelled Figure 3 has been replaced by replacement drawing sheet Figure 9. Replacement drawing sheet Figure 9 better illustrates the subject apparatus and corrects a number of mislabeled items.

Cancelled Figure 4 has been replaced by replacement drawing sheets Figure 10 and Figure 11.

Replacement Figure 10 represents the figure in cancelled Figure 4 previously labeled as “A”.

Replacement Figure 11 represents the figure in cancelled Figure 4 previously labeled as “B”.

Cancelled Figure 5 has been replaced by replacement drawing sheet Figure 12.

Cancelled Figure 6 has been replaced by replacement drawing sheet Figure 13.

Replacement Figure 13A represents the figure in cancelled Figure 6 previously labeled as “Front View”.

Replacement Figure 13B represents the figure in cancelled Figure 6 previously labeled as “Left View”.

All other figures in cancelled Figure 6 have been removed as Applicant considers them to be redundant.

Cancelled Figure 7 has been replaced by replacement drawing sheet Figure 14.

Replacement Figure 14A represents the figure in cancelled Figure 7 previously labeled as “Front View”.

Replacement Figure 14B represents the figure in cancelled Figure 7 previously labeled as “Left View”.

The figure previously labeled as “Isometric View” in cancelled Figure 7 has been deleted as Applicant considers it to be redundant.

Cancelled Figure 8 has been replaced by replacement drawing sheet Figure 15. Items in cancelled Figure 8 such as items 402, 400, 20, 22, 16 and 18 have not been include in replacement drawing sheet Figure 15 as they are deemed by Applicant to be unnecessary in explaining his invention.

Cancelled Figure 9 has been replaced by replacement drawing sheet Figure 16.

Cancelled Figure 10 has been replaced by replacement drawing sheet Figure 17.

Replacement Figure 17A represents the figure in cancelled Figure 10 previously labeled as “Front View”.

Replacement Figure 17B represents the figure in cancelled Figure 10 previously labeled as “Bottom View”.

Replacement Figure 17C represents the figure in cancelled Figure 10 previously labeled as “Isometric View”.

The figure previously labeled as “Left View” in cancelled Figure 10 has been removed.

Cancelled Figure 11 has not been replaced.

Cancelled Figure 12 has been replaced by replacement drawing sheet Figure 18 showing greater detail of the subject matter and corrected numbering.

Cancelled Figure 13 has been replaced by replacement drawing sheet Figure 19 showing greater detail of the subject matter and corrected numbering.

Cancelled Figure 14 has been replaced by replacement drawing sheet Figure 20. All previous views shown on cancelled figure 14 have been included and properly labeled in Figure 20 as “A” to “D”.

Cancelled Figure 15A and Figure 15B have been replaced by replacement drawing sheet Figure 21.

Cancelled Figure 16A and Figure 16B have been replaced by replacement drawing sheet Figure 22.

Specification

The Office Action objected to the disclosure because the specification was using references to figures that are not in the drawings. In other cases the description given in the original disclosure was not consistent with the original figures.

Due to the large number of replacement drawing sheets, Applicant has made a large number of changes to the original specification. Therefore, Applicant submits a marked up copy of the original specification as well as a clean copy to be entered onto the Patent Office record.

Claim Objections

The Office Action objects to original Claims 4, 8 and 17 as they do not use consistent terminology. Original claims 4, 8 and 17 have been cancelled.

Claim Rejections – 35 USC §112

The Office Action rejects original claims 1-20 as not conforming to 35 USC 112 and failing to comply with the enabling requirement. Specifically, subject matter which was not in the specification was contained in the claims. Applicant has cancelled original claims 1-20 and new claims have been drafted to meet the enabling requirement.

Claims 1 to 20 (cancelled).

Claim 21 (new): An apparatus for steering control of a water craft by operator body motion commands, said water craft having at least one flat hull cross-member having an upper surface, wherein the water craft is propelled by an outboard motor having a first vertical axis, said apparatus comprising:

- a. a swivel seat for accepting said body steering commands, said swivel seat comprising swivel means for rotation about a second vertical axis and a bottom surface, wherein the swivel seat has:
 - a. a first disengaged mode wherein the body motion commands are not transmitted to said outboard motor; and.
 - b. a second engaged mode wherein the body motion commands are transmitted to the outboard motor;
- b. means for moving the swivel seat from said first disengaged mode to said second engaged mode and back again to the first disengaged mode; and,

- c. means for transmitting the body motion commands to the outboard motor, whereby the body motion commands are translated into steering commands.

Support for New Claim 21:

- Amended Specification P3, L1 to L15
- Amended Specification P12, L14 to P13, L7

Claim 22 (new): The apparatus as claimed in claim 21, wherein said swivel means comprises:

- a. a first swivel co-axial with said second vertical axis and mounted by mounting means to said bottom surface of said swivel seat; and,
- b. a second swivel co-axial with the second vertical axis and mounted by mounting means between said first swivel and said at least one flat hull cross-member upper surface.

Support for New Claim 22:

- Amended Specification P3, L17 to L20

Claim 23 (new): The apparatus as claimed in claim 22, wherein said engagement means comprises:

- a. a first control member having a first end and a second end, wherein said first control member first end is mounted by mounting means between the first swivel

- and the swivel seat bottom surface, and wherein a slotted sleeve is fixed to said first control member second end;
- b. a second control member having a first end and a second end, wherein said second control member first end is mounted by mounting means between the first swivel and the second swivel, and wherein said second control member second end has an aperture and said aperture co-axial with said slotted sleeve;
- c. a retractable biased engagement pin slidably mounted within the slotted sleeve, said pin having an engagement end; and,
- i. a first retracted position wherein said engagement end is disengaged from the aperture resulting in the swivel seat being in its first disengaged mode; and,
- ii. a second engaged position wherein the engagement end is engaged with the aperture thereby coupling the first control member to the second control member resulting in the swivel seat being in its second engaged position so that the first and second control members rotate dependently, the result being that rotation of the swivel seat about the second vertical axis causes identical rotation of the second control member about the second vertical axis.

Support for new Claim 23:

- Amended Specification P3, L22 to P4, L11
- Amended Specification P15, L3 to P15 L21

Claim 24 (new): The apparatus as claimed in claim 23, wherein means for transmitting the body motion commands to the outboard motor comprises a connecting member having a first end and a second end, wherein said first end is connected by first connecting means to the second control member, and wherein said second end is connected by second connecting means to the outboard motor, so that movement of the second control member about the second vertical axis is transmitted by said connecting member to the outboard motor and translated into sympathetic movement of the outboard motor about said first vertical axis.

Support for new Claim 24:

- Amended Specification P3, L13 to L18

Claim 25 (new): The apparatus as claimed in claim 24, wherein the first swivel comprises:

- a first upper mounting plate mounted by mounting means to said bottom surface of said seat body;
- a first lower mounting plate; and,
- a first circular bearing track disposed between said first lower mounting plate and said first upper mounting plate, said first circular bearing track including a first plurality of bearings disposed in the first circular bearing track, said first plurality of bearings permitting rotation of the first lower mounting plate with respect to the first upper mounting plate; and the second swivel comprises;
- a second upper mounting plate mounted by mounting means to said first lower mounting plate;

- e. a second lower mounting plate mounted by mounting means to said upper surface of said at least one hull cross-member; and,
- f. a second circular bearing track disposed between said second lower mounting plate and said second upper mounting plate, said second circular bearing track including a second plurality of bearings disposed in the second circular bearing track, said second plurality of bearings permitting rotation of the second lower mounting plate with respect to the second upper mounting plate.

Support for new Claim 25:

- Amended Specification P4, L20 to P5, L2
- Amended Specification P16, L1 to L22

Claim 26 (new): The apparatus as claimed in claim 25, wherein the swivel seat comprises:

- a. a horizontal seating platform having a left side and a right side, said horizontal seating platform contoured for receiving the buttocks of an operator;
- b. an upward sloping left side member fixed to said left side of the horizontal seating platform, wherein said left side member is adjacent to the left thigh of an operator and contoured to receive the contour of the left thigh of an operator;
- c. an upward sloping right side member fixed to said right side of the horizontal seating platform, said right side member positioned adjacent to the right thigh of an operator and contoured to receive the contour of the right thigh of an operator, and;
- d. a backrest fixed to the horizontal seating platform, said backrest adapted for pivoting adjustment about a first horizontal axis for operator comfort.

Support for new Claim 26:

- Amended Specification P5, L1 to L10
- Amended Specification P13, L9 to P13, L19

Claim 27 (new): The apparatus as claimed in claim 26, wherein the first control member comprises a first plate having a longitudinal axis, said first plate having a paddle shape, said paddle shape comprising four contiguous and congruent portions comprising a shaft portion, a throat portion, a blade portion and tip portion, wherein:

- a. said shaft portion has a first end having a first width, a first side and a second, wherein said first side and said second side are parallel and wherein said first end is disposed perpendicular between the first side and the second side;
- b. said throat portion has a third side and a fourth side, wherein said third side and said fourth side are incurvate;
- c. said blade portion has a fifth side and a sixth side, wherein said fifth side and said sixth side are arcuate, and,
- d. said tip portion is linear and disposed between the fifth side and the sixth side, perpendicular to the longitudinal axis and parallel to said first end.

Support for new Claim 27:

- Amended Specification P3, L12 to P6, L2
- Amended Specification P17, L22 to P19, L13

Claim 28 (new): The apparatus as claimed in claim 27, wherein the shaft portion includes an aperture located adjacent to the first end and upon the longitudinal axis.

Support for new Claim 28:

- Amended Specification P5, l17 to l18
- Amended Specification P18, L14 to L15

Claim 29 (new): The apparatus as claimed in claim 28, wherein the blade portion includes:

- a. a first elongate aperture having a first aperture longitudinal axis, wherein said first aperture longitudinal axis has a first acclivity of about negative 45 degrees from the first control member longitudinal axis, and further wherein said first elongate aperture is located close to the fifth side; and,
- b. a second elongate aperture having a second aperture longitudinal axis, wherein said second aperture longitudinal axis has a second acclivity of about positive 45 degrees from the first control member longitudinal axis, and further wherein said second elongate aperture is located close to the sixth side.

Support for new Claim 29:

- Amended Specification P18, L14 to P19, L3

Claim 30 (new): The apparatus as claimed in claim 29, wherein the blade portion is mounted between the bottom surface of the seat body and the second rectangular upper mounting plate.

Claim 31 (new): The apparatus as claimed in claim 30, wherein said second control member comprises a second flat plate having a second flat plate longitudinal axis, a top surface and a bottom surface, wherein said second flat plate has a substantially keystone shape including a flat bottom side, a lower left corner, a lower right corner, an arcuate top side, a top left corner, a top right corner, a left side inclined away from said second flat plate horizontal axis, and a right side inclined away from the second flat plate horizontal axis.

Support for new Claim 31:

- Amended Specification P19, L15 to L21

Claim 32 (new): The apparatus as claimed in claim 31, wherein said second control member further includes:

- a. a first elongate aperture located proximate to said lower left corner;
- b. a second elongate aperture located proximate to said lower right corner;
- c. a third aperture located proximate to said left side, said third aperture including a raised collar;
- d. a fourth aperture located adjacent to said third aperture and proximate to said left side, said fourth aperture including a raised collar;

- e. a fifth elongate aperture located proximate to said top left corner;
- f. a sixth elongate aperture located proximate to said top right corner; and,
- g. a seventh aperture located at the top end of the longitudinal axis of the second control member.

Support for new Claim 32:

- Amended Specification P19, L22 to P20, L6

Claim 33 (new): The apparatus as claimed in claim 32, wherein the second control member further includes:

- a. a first rectangular projection projecting from said top left corner;
- b. a second rectangular projection projecting from the middle of said arcuate top surface along the said longitudinal axis; and,
- c. a third rectangular projection projecting from said top right corner, wherein said first, second and third rectangular projections are adapted as sighting guides so that an operator can visually guide the third control member into engagement with the second control member.

Support for new Claim 33:

- Amended Specification P6, L4 to L20
- Amended Specification P20, L12 to L18

Claim 34 (new): The apparatus as claimed in claim 33, wherein the second control member is mounted by mounting means between the first rectangular upper mounting plate and the second rectangular lower mounting member.

Support for new Claim 34:

- Amended Specification P6, L19 to L20
- Amended Specification P20, L20 to L22

Claim 35 (new): The apparatus as claimed in claim 34, wherein said means for transmitting said body use motion commands from the seat body to said outboard motor comprise:

- a. a connecting member having a first threaded end and a second threaded end;
- b. means for connecting said connecting member first threaded end to the second control member; and,
- c. means for connecting said connecting member second threaded end to the outboard motor.

Support for new Claim 35:

- Amended Specification P6, L22 to P7, L1
- Amended Specification P22, L4 to L10

Claim 36 (new): The apparatus as claimed in claim 35, wherein said means for connecting the connecting member first end to the second control member comprises a bracket comprising:

- a. a base having a threaded aperture adapted to receive the connecting member first threaded end;
- b. a first tine fixed to said base, said first tine having an first arcuate free end, said first arcuate free end having a first tine first aperture;
- c. a second tine fixed to the base opposite to and parallel to said first tine, said second tine having a second arcuate free end, said second arcuate free end having a second tine second aperture' wherein the bracket is adapted to receive the left side of the control member between the first and second tines, and wherein said first tine first aperture and said second tine second aperture are co-axially aligned with the control plate third aperture; and,
- d. a second pin member adapted for releasable engagement within the co-axially aligned first tine first aperture, second tine second aperture and second control member third aperture thereby fixing the connecting member first end to the second control member in a pivoting relationship.

Support for new Claim 36:

- Amended Specification P7, L1 to L11
- Amended Specification P22, L12 to P23, L15

Claim 37 (new): The apparatus as claimed in claim 36, wherein the connecting member first end is fixed to the second control plate fourth aperture in a pivoting relationship.

Support for new Claim 37:

- Amended Specification P7, L10 to L11

Claim 38 (new): The apparatus as claimed in claim 38, wherein said means for connecting the connecting member second end to the outboard motor comprises a second bracket comprising:

- a. a second base having a second threaded aperture adapted to receive the connecting member second threaded end;
- b. a third tine fixed to said second base, said third tine having an third arcuate free end, said third arcuate free end having a third tine third aperture;
- c. a fourth tine fixed to the second base opposite to and parallel to said third tine, said fourth tine having a fourth arcuate free end, said fourth arcuate free end having a fourth tine fourth aperture;
- d. a bracket arm having a longitudinal axis, a first half and a second half, said first half having at least two apertures positioned vertically; said second half having at least two apertures positioned vertically and one threaded longitudinal bore adapted to receive a threaded rod;
- e. a friction clamp adapted to clamp around the vertical shaft casing of said outboard motor, said friction clamp having a collar portion adapted to frictionally engage said vertical shaft casing and two adjacent and parallel arms apertured to receive said threaded rod;
- f. a throttling nut adapted for threaded engagement onto the threaded rod so that said two adjacent and parallel arms are between said throttling nut and said bracket second end, so that when the throttling nut is rotated towards the bracket second end the two adjacent and parallel arms are compressed together thereby tightening the collar about the vertical shaft casing; and,

- g. a pin for releasably pinning the bracket first end between the third tine and the fourth tine in a pivoting relationship.

Support for new Claim 38:

- Amended Specification P7, L13 to L22
- Amended Specification P23, L5 to P24, L6

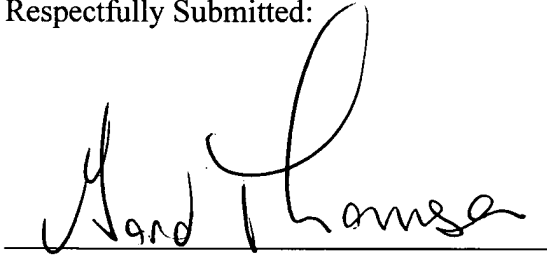
Conclusion

Applicant respectfully submits that the Specification has been corrected. The original drawing sheets have been cancelled and improved replacement drawing sheets have been submitted. The original claims have been cancelled and new claims submitted to comply with Section 112.

Applicant submits that his invention complies with Section 102 and is of patentable merit under Section 103. Accordingly, Applicant submits that this application is now in full condition for allowance, which action he respectfully solicits.

The assistance and helpful suggestions set out by the Examiner in this Office Action are greatly appreciated.

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Gordon Thomson", is written over a horizontal line.

Gordon Thomson (55,922)

Patent Agent for the Applicant

1353 Mountainside Crescent

Ottawa, Ontario, Canada, K1E 3G5

Ph: 613 834 6166

Enclosure: Power of Attorney
Replacement Drawing Sheets Figures 1 to 22
Marked up amended Specification
Clean copy of amended Specification

Replacement Drawing Sheets

Applicant cancels all previously submitted drawings Figure 1 to Figure 16 and encloses replacement sheets for new Figures 1 to 22. No new subject matter has been added to the figures.